

Date 07/28/08



Environmental Management Consolidated Business Center (EMCBC)

Subject: EMCBC Policy on DOE-Flex

POLICY STATEMENT

APPROVED: (Signature on File)

EMCBC Director

ISSUED BY: Office of Human Resources

1.0 PURPOSE

The purpose of the policy is to describe the U.S. Department of Energy (DOE) Environmental Management Consolidated Business Center's (EMCBC) position regarding DOE-Flex (flexiplace), a term interchangeable with Telecommuting/Telework.

2.0 APPLICABILITY

All full-time staff members duty stationed at the Chiquita Center and Springdale, OH offices are eligible to participate in DOE-Flex, subject to the terms of this policy document.

3.0 REQUIREMENTS & REFERENCES

3.1 Requirement

3.1.1 Section 359 of Public Law 106-346

3.2 References

3.2.1 Handbook on DOE-Flex, DOE's Flexiplace Program, March 2000

3.2.2 The Office of Personnel Management (OPM) and the General Services Administration (GSA) joint web site on Telework at www.telework.gov

3.2.3 DOE Performance Management System for Non-Supervisory Employees

3.2.4 DOE Performance Management System for Managers and Supervisors

3.2.5 IP-322-03, Rev. 1, EMCBC Implementing Procedure for DOE-Flex

3.2.6 OPM Agency Guidance – Human Capital Management Policy for a Pandemic Influenza

3.2.7 OPM Memorandum, Subject: HR Flexibilities Available to Assist Federal Employees Affected by Severe Weather Emergencies and Natural Disasters, August 30, 2006

3.2.8 PL-471-01, Rev. 1, Continuity of Operations Plan (COOP)

4.0 DEFINITIONS & ACRONYMS

- 4.1 **Alternative Worksites:** Places away from the official duty station that have been approved for the performance of officially assigned duties. It may be an employee's home or other approved designated worksite including another Federal facility, etc.
- 4.2 **Compressed Work Schedule (CWS):** An 80-hour bi-weekly basic work requirement which is scheduled for less than ten workdays. The CWSs used most often are the 5/4/9 and 4/10.
- 4.3 **Continuity of Operations Plan (COOP):** Effort to ensure that the capability exists to continue essential EMCBC functions across a wide range of emergencies. COOP capability is intended to be short-term; it must be functional.
- 4.4 **DOE-Flex:** Is the name of DOE's flexiplace program. The term may be used interchangeably with "telecommuting," "telework," "flexiplace," and "work-at-home."
- 4.5 **DOE-Flex Medical:** Is an approved DOE-Flex arrangement designed for the continued accomplishment of employer work while an employee has a medical condition which does not affect the employee's ability to perform his or her regular work assignment at an alternative worksite. Examples of conditions covered are: maternity leave, convalescence from a short-term injury or illness, etc.
- 4.6 **DOE-Flex Package:** Consisting of the DOE-Flex Application (Attachment A), the DOE-Flex Agreement or One-Time DOE-Flex Agreement (Attachment B and C), and Self-Certification Safety Checklist (Attachment D) completed and signed by an employee and appropriate EMCBC management official(s) that outlines the terms and conditions of the DOE-Flex arrangement (Attachments are available on the EMCBC, Office of HR website and in IP-322-03, Rev 1, Ref. 3.2.5).
- 4.7 **DOE-Flex Regular:** Is an approved work schedule where employees regularly work at least one-day a week or one day per pay period at an approved alternative worksite. Reasons for regular DOE-Flex arrangements include reductions in office space and associated costs; periods when the traditional worksite is not usable (e.g. during office renovation or an emergency); and reductions in energy costs associated with commuting, etc.
- 4.8 **DOE-Flex Situational:** Is approved DOE-Flex performed at an approved alternative worksite on an occasional, one-time, or irregular basis. DOE-Flex work schedule of no more than one-day per week. This provides an arrangement for employees who, at infrequent times, have to work on special assignments, prepare comprehensive reports, planning tasks, or other work related projects of a specific limited duration.
- 4.9 **Flexiplace:** A program that covers employees who work at approved alternative worksites other than their official duty station. This includes, but is not limited to, the

employee's residence, the Springdale Telework Center, and other approved DOE worksites.

- 4.10 Portable Work – Work that can be successfully accomplished away from the official duty station at an alternative worksite.
- 4.11 Program Coordinator(s): Office of HR Workforce Effectiveness Team members perform as program coordinators and provide advice and assistance to supervisors, managers and employees regarding the EMCBC DOE-Flex program.
- 4.12 Springdale Telework Center: An approved EMCBC alternative worksite located at 175 Tri-County Parkway, Springdale, OH 45247. The telework center has a limited amount of cubicles and offices, supplied with the necessary computer, telephone and related office equipment. This space is separate from the space dedicated to the Springdale office facility for records management purposes, Source Evaluation Boards, and other ongoing routine activities.
- 4.13 Telework: Refers to any DOE-Flex arrangement in which an employee performs officially assigned duties at an approved alternative worksite on either a regular and recurring, medical or a situational basis (not including while on official travel).
- 4.14 Telework Training: All teleworkers and their respective supervisors must complete on-line training at www.telework.gov prior to beginning telework. A certificate of completion is proof of successful completion.
- 4.15 Work-at-home: An approved DOE-Flex arrangement whereby an employee performs official duties in a designated work or office area of his or her home that is suitable for the performance of official DOE business.

5.0 RESPONSIBILITIES

- 5.1 Employees must provide to their immediate supervisor a written DOE-Flex package normally 10 work days prior to the requested start date. Upon approval of the package by the immediate supervisor or EMCBC Director, the employee must complete the mandatory telework training and submit the certificate of completion to the Office of Human Resources Program Coordinator. By close of business on each day of telework, employees will document their accomplishments in the Work @ Home Accomplishment Tracking database. Mandatory cybersecurity and computer training provided by IRM must also be completed prior to teleworking.
- 5.2 Immediate Supervisor will, within five days of receipt, make recommendations for the approval or disapproval of medical and situational telework packages (with the EMCBC Director having the final decision authority), and will approve or disapprove regular telework packages for appropriate employees. Mandatory telework training for supervisors will be completed before approving telework packages for employees.
- 5.3 EMCBC Director will approve or disapprove all DOE-Flex medical and situational packages.

- 5.4 Program Coordinator, Office of Human Resources, will provide advice and assistance to supervisors and employees with the EMCBC DOE-Flex program, and is responsible for initiating and maintaining local programs, issuing local guidance, ensuring any needed training is available, and maintaining records on all applicants and participants.

6.0 GENERAL INFORMATION

- 6.1 Employee participation in DOE-Flex is voluntary and subject to management approval. Any full-time employee may request to participate in the program. However, the nature of the employee's work such as: working with classified or privacy act information, maintaining DOE work areas, the need to be in the office for face-to-face meetings, providing front-line customer service, utilizing office resources may also limit the applicability of DOE-Flex for employees.
- 6.2 DOE-Flex is not an employee benefit or entitlement, does not change the terms and conditions of an employee's appointment, and is not a substitute for child or other dependent care arrangements. Anyone approved to participate in DOE-Flex is not assured that this work option will continue indefinitely or become a permanent aspect of their employment. DOE-Flex is a privilege, not a right, and can only be implemented with the Office of Human Resources (OHR) review and coordination, and written approval of the supervisor for regular telework and EMCBC Director's approval for situational and medical telework.

6.2.1 DOE-Flex Medical

- Nonsupervisory employees and supervisors are eligible to apply.
- Acceptable medical documentation should be submitted with the DOE-Flex package.

6.2.2 DOE-Flex Regular

- Nonsupervisory full-time employees on a four-ten hour day compressed work schedule may be approved to work one day per pay period at an approved alternative worksite.
- Nonsupervisory full-time employees working on the 5/4/9 compressed work schedule, or five consecutive eight hour workdays per week may be approved to work one day per week each pay period at an approved alternative worksite.
- Employees may not be granted regular DOE-Flex that results in working outside of the normal duty station exceeding 20% of their 80 hour pay period.

6.2.3 DOE-Flex Situational - Nonsupervisory employees and supervisors are eligible to apply.

- 6.3 Agreements that continue for at least 12 months will be re-certified annually. Attachment E, Annual Re-Certification, will be completed and submitted to the Office of Human Resources. (Attachments are available on the EMCBC, Office of HR website and in IP-322-03, Rev 1, Ref. 3.2.5).
- 6.4 For those instances where a holiday falls on the employees approved telework day, the telework day will be the day prior to the holiday, if approved by the immediate supervisor. If the approved telework day and holiday fall on Monday, the telework day will be Tuesday, if approved by the immediate supervisor.
- 6.5 The existing rules on tour of duty apply to DOE-Flex employees. **Management determines the employee's work schedule, including the days and times that the employee will work at their official duty station and/or their DOE-Flex alternative work site.** Overtime provisions that apply to employees working at the official duty station apply to employees on a DOE-Flex agreement. DOE-Flex employees may work overtime only when ordered and approved in advance by appropriate management official(s).
- 6.5.1 EMCBC positions eligible for DOE-Flex are those involving tasks and work activities that are portable, do not depend on the employee being at the official duty station, and perform work that is conducive to being evaluated for quality, quantity, timeliness, etc. Positions shall not be excluded as eligible on the basis of occupation, series, grade or supervisory status.
- 6.5.1a Tasks and functions generally suited for DOE-Flex include but are not limited to:
- Policy development;
 - Research;
 - Analysis (e.g. investigating, program analysis, policy analysis, financial analysis);
 - Report writing;
 - Telephone-intensive tasks;
 - Computer-oriented tasks (e.g. programming, data entry, word processing, web page design); or
 - Data processing.
- 6.5.1b DOE-Flex is not appropriate for all employees due to various factors involving the client service nature of EMCBC functions. Positions not generally eligible for DOE-Flex include duties that are not suitable to be performed away from the official duty station, including tasks such as:
- Tasks that require the employee to have daily face-to-face contact with the supervisor, colleagues, clients, or the general public in order to perform their jobs effectively, which cannot otherwise be achieved via e-mail, telephone, fax or similar electronic means;

- Tasks that require daily access to classified or privacy act documents;
 - Tasks that are part of trainee or entry level positions;
 - On-the-job training (OJT) for employees who need close supervision and/or whose job function is dependent on interaction with co-workers and performance would suffer from the isolation of working alone; or
 - Duties performed by a probationary employee.
- 6.6 Employees must have a current performance rating of “meets expectations” or higher to be eligible for participation and continued participation in the DOE-Flex program. Additionally, they must have portable work and not be under sick leave restriction, or on a Performance Improvement Plan (PIP).
- 6.7 EMCBC assumes no responsibility for any operating costs associated with the employee using his or her personal residence as an alternative worksite, including home maintenance, insurance, or utilities (e.g. heating, electricity, water). Employees on a work-at-home DOE-Flex arrangement must supply their own computer, high speed internet connection and have approved spyware, malware, and virus protection in accordance with Information Resource Management (IRM) technical specifications. EMCBC will supply access to network drives and EMCBC management systems and other EMCBC applications, but the employee will provide word processing, spreadsheet and other such software. Employees on a work-at-home arrangement who use their own equipment are responsible for the repair and maintenance of that equipment.
- 6.8 The EMCBC will make maximum use of DOE-Flex to continue essential EMCBC operations during a natural, national or local emergency that makes the EMCBC official duty station unavailable. The EMCBC Director will determine if an emergency situation is present and the appropriate action to continue EMCBC operations. The EMCBC will utilize the severe weather communication tools to communicate to essential employees when an emergency has been declared by the EMCBC Director and if DOE-Flex has been implemented to continue EMCBC essential operations. EMCBC management will communicate directly with employees at their homes by the severe weather communication tools and/or telephone and/or email to communicate information, assignments, updates and status of EMCBC operations.
- EMCBC employees may access EMCBC Web mail from their home computers by going to <http://www.emcbc.doe.gov/mail> and entering their full e-mail address as their user name and their network password.
 - EMCBC employees may also hear the message by dialing (513) 246-0500 and pressing the star (*) key during the delivery of the options. Callers will then be routed to the voicemail hosting the message system.
 - EMCBC employees may be notified of emergencies rendering the EMCBC official duty station unavailable by the use of the EMCBC Emergency Notification System. The EMCBC Emergency Notification System uses a

contracted communication service which provides telephonic messaging and supplies complete online call reports to document who has been notified.

- 6.9 Individuals asked to telework in the case of a Continuity of Operations (COOP) event or a pandemic health crisis shall have a telework agreement in place that provides for such an occurrence. Individuals expected to telework in an emergency situation should with some frequency telework under non-emergency circumstances to be prepared.
 - 6.9.1 Telework agreements (Medical, Regular, Situational) that are already in place at the time of a COOP event or pandemic crisis will be used for COOP purposes for all nonessential personnel.
 - 6.9.2 An employee designated as an Emergency or Continuity Emergency Response Group (CERG) employee will complete an Emergency or Continuity Emergency Response Group Employee DOE-Flex Agreement.
- 6.10 Emergency dismissal or closure procedures for employees apply during adverse conditions such as severe weather. Employees working a DOE-Flex are excused from duty without loss of pay or charge to leave the same as employees at the worksite involved in an emergency wherein the Federal government is “closed”. If a situation arises at the traditional worksite, such as a power outage, employees who are teleworking would not be affected and would not need to be excused from duty. Supervisors will address situations that arise at the employee’s alternative worksite that results in the employee being unable to continue working such as a power outage, on a case-by-case basis. The supervisor may grant excused absences or offer the teleworker the option of using leave, compensatory time or credit hours.
- 6.11 Security – All files, records, papers, or machine-readable materials created while on DOE-Flex are the property of DOE in accordance with appropriate security regulations. Records that are business sensitive or otherwise have disclosure limitations such as records subject to the Privacy Act may not be disclosed to anyone except those authorized access as a requirement of their official duties and responsibilities. Written supervisory authorization must be obtained prior to the removal of such records from the official worksite. All EMCBC Offices must ensure that appropriate physical, administrative, and technical safeguards are used to protect the security and confidentiality of such records. Only copies, not originals, of such documents may be permitted to be taken out of the EMCBC official duty station, and they may be taken only on a temporary basis and not permanently stored out of the official duty station. EMCBC supervisors must ensure that any DOE-Flex employees working on Privacy Act materials will receive appropriate training. DOE-Flex employees are responsible for the security of all official data; protection of any DOE furnished equipment and property, and accomplishment of the DOE mission at the alternative worksite.

6.12 Training

- 6.12.1 All telework employees must complete mandatory on-line telework training prior to teleworking. Employees on telework agreements prior to approval of this policy must complete telework training within 10 workdays of notification of mandatory training requirement and provide a certificate of completion to the Program Coordinator, Office of Human Resources. Online training can be accessed via the joint OPM/GSA web site <http://www.telework.gov/courses>.
 - 6.12.2 All supervisors must complete mandatory telework training for managers prior to completing telework agreements. Training can be accessed via the joint OPM/GSA site <http://www.telework.gov/courses>.
 - 6.12.3 Mandatory cybersecurity and computer operations training for telework employees will be provided by the Office of Information Resource Management.
- 6.13 Workers Compensation and Other Liabilities – Employees who are directly engaged in performing the duties of their jobs are covered by the Federal Employees Compensation Act (FECA) regardless of whether the work is performed on the agency's premises or at an approved alternative worksite. An employee on workers' compensation rolls who is a candidate for vocational rehabilitation may upon approval by the Department of Labor (DOL), request to use telework as an option.
- 6.13.1 The employee must notify the supervisor immediately of any accident or injury at the alternative worksite, provide details of the accident or injury and complete the DOL Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation.
 - 6.13.2 For work at home arrangements, the employee is required to designate an area in the home as the official alternative workstation. The Government's potential exposure to liability is restricted to this alternative workstation for the purpose of telework. Each employee with an approved DOE-Flex agreement must accomplish a safety checklist (Attachment D) that proclaims the home safe. Employees are responsible for ensuring that their homes comply with safety requirements.
 - 6.13.3 The Government is not liable for damages to an employee's personal or real property while the employee is working at the approved alternative worksite, except to the extent the Government is held liable by the Federal Tort Claims Act.
 - 6.13.4 Occupational Safety and Health Administration rules govern Federal employee workplace safety.

EMCBC RECORD OF REVISION**DOCUMENT**

If there are changes to the controlled document, the revision number increases by one. Indicate changes by one of the following:

- I** Placing a vertical black line in the margin adjacent to sentence or paragraph that was revised.
- I** Placing the words GENERAL REVISION at the beginning of the text.

Rev. No.	Description of Changes	Revision on Pages	Date
1	Original Issue	All	09/26/06
2	Rewrite of Policy Statement	All	07/28/08